

October 26, 1954

Miss Ruth G. Morgan
Acting Labor Commissioner
State Department of Labor
Concord, New Hampshire

Dear Miss Morgan:

In your letter of the 15th you asked whether students who work in the dining room of a college during meals and for which they receive their meals should be considered employees of the college. It is the opinion of this office that an employer-employee relationship exists. The element of payment need not be in money, but may be in the form of board or room. *Boehm v. D. A. Sokol Hall Holding Corp.*, 83 N.Y.S. 2d 729.

You also asked whether high school students employed in a hospital receiving a flat hourly wage and one meal a day were employees of the hospital even though they were receiving school credits for the time spent at hospital work. It is the opinion of this office that this also constitutes an employer-employee relationship.

Very truly yours,

Elmer T. Bourque
Law Assistant

ETB/anl

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